



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Mayor Teri Johnston
Vice-Mayor Sam Kaufman
Commissioner Lissette Carey
Commissioner Mary Lou Hoover
Commissioner Clayton Lopez
Commissioner Billy Wardlow
Commissioner Jimmy Weekley

Charter Officials

Albert Childress, City Manager
Keri O'Brien, City Clerk
Ronald Ramsingh, City Attorney

Thursday, March 14, 2024

9:00 AM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

FOR VISUAL PRESENTATIONS: For City Commission meetings the City Clerk's Office will need a copy of the presentation for the agenda at least 7 days before the meeting.

MORNING SESSION

CALL MEETING TO ORDER - 9:01 A.M.

ROLL CALL

Present 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

INVOCATION - Deacon Peter Batty, Basilica of St. Mary's

PLEDGE OF ALLEGIANCE TO THE FLAG - Rod Delostrinos, Director of Transportation

CITIZEN COMMENTS

APPROVAL OF AGENDA - The agenda was unanimously approved as amended and with tabling Items #11 and #12 to the Evening Session

CONSENT AGENDA*

*Item is considered to be routine and enacted by one motion with no separate discussion, unless requested by a Commission Member. The City of Key West may take action on any matter during this meeting, including items that are not set forth within this agenda.

MINUTES

1 *January 11, 2024

Attachments: [Minutes](#)

Passed

2 *February 8, 2024

Attachments: [Minutes](#)

Passed

RESOLUTIONS

3 *Authorizing a waiver of the Conditional Use Application Fee for a Community Center for "Queer Keys" to be located at 1100 Truman Avenue, in an amount not to exceed \$3,502.09.

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)
[Cover Memo](#)
[Conditional Use Application](#)

Passed

Enactment No: Res 24-031

- 4 *Recognizing the service and accomplishments of the Major Family of Key West by naming the green space between Butler Avenue and the splashpad at Truman Waterfront Park as "Major Field".

Sponsors: Commissioner Lopez and Vice Mayor Kaufman

Attachments: [Resolution](#)
[Cover Memo](#)
[Attachment A - Major Field Relocation Chart](#)
[18-173 Naming New Streets within Truman Waterfront Area](#)
[15-297 Naming of New Streets within the](#)

Passed

Enactment No: Res 24-032

- 5 *Directing the Planning Department, in consultation with the Planning Board, to consider an Amendment of Chapter 108, entitled "Planning and Development," Article X, entitled "Building Permit Allocation System" in the event additional Building Permit Allocation System Permits are authorized by the State Legislature to ensure that proper regulatory controls are enacted to accommodate additional development potential.

Sponsors: Vice Mayor Kaufman

Attachments: [Resolution](#)
[Cover Memo](#)
[Resolution 24-002 Supporting MC Hurricane Working Group](#)
[Monroe County BOCC Resolution No. 572-2023](#)
[MC Agenda Item](#)
[Loss Model Brief](#)
[Clearance Times](#)

Passed

Enactment No: Res 24-033

- 6 *Approving and authorizing the City Manager to execute the attached Agreement between the City of Key West, Florida, and the Conch Republic Independence Celebration, LLC, the Key West Cultural Preservation Society, Bourbon Street Pub, Inc., Petronia St. Neighborhood Association, Inc., UCC Whale Center DBA Flagship Wolf Preservation, Key West Police Athletic League, and the Sister Season Fund, Inc., for the 42nd Annual Conch Republic Independence Celebration from April 19, 2024, through April 28, 2024.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Agreement](#)
[Conch Republic Drag Races Application](#)
[Conch Republic CPS Street Fair Application](#)
[Conch Republic Day Ceremony & Military Muster Application](#)
[Conch Republic Longest Parade Application](#)
[Conch Republic Salute Naval Parade & Sea Battle Application](#)
[Conch Republic Bed Races Application](#)
[Conch Republic Brawl on Duval Application](#)
[Approvals](#)

Passed

Enactment No: Res 24-034

- 7 *Authorizing KW Songwriters, LLC. DBA Key West Songwriters Festival to conduct a free concert on the 200 block of Duval Street and Greene Street between Fitzpatrick and Ann Streets on May 4, 2024, from 7:00 P.M. to 10:00 P.M (set up at 6:00 A.M. and breakdown Midnight); Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Application and Approvals](#)

Passed

Enactment No: Res 24-035

- 8 *Authorizing Sloppy Joe's Enterprises, Inc. to conduct the Annual Hemingway Look-A-Like and Running of the Bulls Contest on Saturday, July 20, 2024, from 11:30 A.M. to 10:00 P.M. (Set up 9:00 A.M. to 11:00 P.M.) pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Application & Approvals](#)

Passed

Enactment No: Res 24-036

- 9 *Approving the City Attorney Performance Evaluation of Ronald J. Ramsingh (2024).

Sponsors: City Attorney Ramsingh

Attachments: [Resolution](#)
[2024 City Attorney Combined Score](#)
[Mayor Johnston](#)
[Vice Mayor Kaufman](#)
[Commissioner Carey](#)
[Commissioner Hoover](#)
[Commissioner Lopez](#)
[Commissioner Wardlow](#)
[Commissioner Weekley](#)

Passed

Enactment No: Res 24-037

- 10 *Authorizing a Change Order under the City's General Utilities and Infrastructure Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$6,509.56 for the milling, paving, and striping of the Simonton Beach Parking Lot; Authorizing any necessary budget transfers or adjustments; Authorizing City Manager to execute necessary document upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Change Order](#)
[Task Order](#)
[Resolution and Contract](#)
[Bid Form\(Schedule of Values\)](#)

Passed

Enactment No: Res 24-038

- 11 *Authorizing the purchase of five (5) 2024 Ford F-250s and one (1) 2024 Ford Maverick Crew Cab with related accessories in an amount not to exceed \$373,160.44 from Duval Ford LLC, through piggybacking on the Florida Sheriff's Association Contract No. FSA23-VEL31.0, pursuant to Section 2-797(3) of the Code of Ordinances for use by the Community Services Department; Authorizing any necessary budget transfers or adjustments; Authorizing City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Public Works F250s Quote](#)
[Parks and Rec F250 Quote](#)
[TWF F250 Quote](#)
[Ford Maverick Quote](#)
[Sheriffs Contract](#)

Passed

Enactment No: Res 24-039

12

*Authorizing acceptance of a grant from the Florida Department of Health, Division of Emergency Preparedness and Community Support to procure EleGARD Systems and training for Fire Department personnel, at no direct cost to the City, on a sole source basis pursuant to Section 2-797(1) (b) of the Code of Ordinances, in the amount of \$54,600.00; Authorizing any necessary budget amendments or adjustments; Authorizing the City Manager or designee to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Grant Evaluation Form](#)
[KWFD Training Plan](#)
[KWFD SOW](#)
[KWFD SOW Quote](#)
[Advanced CPR Solutions Quote](#)
[Sole Source letter](#)

Passed

Enactment No: Res 24-040

- 13 *Approving Change Order No. 1 in the amount of \$53,120.00 for additional Benthic Survey costs associated with a Task Order issued to Tetra Tech, Inc. for waterfront facilities inspection and design of repairs to the Mole Pier Bulkhead at Navy Port Ops; Authorizing any necessary budget transfers; Authorizing the City Manager to execute any necessary documents.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Change Order 1 Proposal](#)
[Resolution 21-268 for original task order](#)
[Resolution 20-039 for Tetra Tech, Inc. contract](#)
[Scope of work Navy seawall repair](#)
[Navy In-kind letter](#)

Passed

Enactment No: Res 24-041

- 14 *Awarding the bid of Charley Toppino & Sons, Inc. received in response to Invitation to Bid (ITB) #24-008 for South Street Improvements in a total amount not to exceed \$3,513,261.06; Authorizing any necessary budget adjustments and amendments; Authorizing the City Manager to execute a contract in substantial conformance with the bid documents, upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Bid Memo](#)
[Bid Proposal - Charley Toppino & Sons, Inc.](#)
[ITB 24-008](#)
[Engineered drawings - roadway and drainage plans](#)
[Engineering drawings - striping and signage plans](#)

Passed

Enactment No: Res 24-042

- 15 *Approving the attached "Amendment (1st Amendment) to Agreement" to the "Grant Award Agreement" for the City of Key West Beach Maintenance Multi Year Grant Project, ID#2324, with the Board of County Commissioners for Monroe County (BOCC) on behalf of the Monroe County Tourist Development Council (TDC) to extend the Agreement for a five (5) year period to September 30, 2029.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[1st Amendment](#)
[Resolution 20-020](#)

Passed

Enactment No: Res 24-043

- 16 *Authorizing a one-year extension of the Contract for Comprehensive Parking Software and Services Solutions from Passport Labs, Inc. through the National Cooperative Purchasing Alliance Master Agreement for Parking Products and Services; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Passport Key West Contract Extension 2024](#)
[Passport Key West Amendment](#)
[Resolution 20-235](#)
[Software License and Service Agreement](#)
[OMNIA purchases NCPA Press Release](#)
[Passport - Integrated Parking Management System](#)
[Passport - Parking Enforcement Software](#)

Passed

Enactment No: Res 24-044

- 17 *Approving the attached "Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement Between the City of Key West and the City of Coral Gables", pursuant to the Florida Mutual Aid Act, Chapter 23, Part I, Florida Statutes; Authorizing the City Manager to execute the Agreement upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Mutual Aid Agreement](#)

Passed

Enactment No: Res 24-045

- 18 *Approving an environmental permitting Task Order for Angelfish Pier Seawall Replacement to Tetra Tech, Inc. in the amount of \$151,113.00, under the City's Environmental Engineering Services Contract; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Task Order](#)
[Assessment](#)
[Contract](#)
[Res #20-039](#)
[Res #23-058](#)

Passed

Enactment No: Res 24-046

- 19 *Ratifying the Attached "Temporary Use Agreement Addendum -- BOT #440769265" between the City of Key West ("City") and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida ("Board") for Submerged Lands Adjacent to Mallory T-Pier.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[BOT # 440769265 - Mallory TUA Addendum \(Exp 6.7.2024\)](#)
[Feb 5 FDEP Ltr Recommending TUA](#)
[Previous Addendum \(Exp 2.7.2024\)](#)
[Previous Res \(23-339\) Approving TUA Addendum](#)

Passed

Enactment No: Res 24-047

- 20 *Approving the attached First Amendment to Lease Agreement between Star of the Sea Foundation, Inc., and the City, extending the current lease term for an additional ten year period beginning February 1, 2027, pursuant to Section 2-941(c) of the Code of Ordinances.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[First Amendment to Lease](#)
[Lease](#)
[Public Notice](#)
[SOS Annual Report 2023](#)

Passed

Enactment No: Res 24-048

- 21 *Approving the attached First Amendment to the Submerged Land Lease Agreement between Community Sailing Center Inc., and the City, extending the current lease term to be concurrent with Lessee's Riparian Upland Lease Term, expiring on March 31, 2028, pursuant to Section 2-941(c) of the Code of Ordinances.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
 [Cover Memo](#)
 [First Amendment to Lease](#)
 [19-171 Submerged Lands Lease](#)
 [2023 Upland Lease](#)

Passed

Enactment No: Res 24-049

- 22 *Approving the attached "Public Transportation Grant Agreement" (PTGA) between the Florida Department of Transportation (FDOT) and the City of Key West for SFY2024 FTA Section 5339 Rural Bus and Bus Facility Capital Funds in an amount not to exceed \$174,750.00; Authorizing the City Manager to execute necessary documents and necessary budget amendments.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Public Transportation Grant Agreement](#)
 [Resolution 23-113](#)

Passed

Enactment No: Res 24-050

- 23 *Authorizing an extension to the City's Solid Waste Hauling and Disposal Contract with Waste Management, Inc. until December 3, 2025; Approving Amendment #3 to the Solid Waste Disposal Contract; Authorizing necessary budget transfers and adjustments.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Resolution 04-082 Original Contract](#)
[Resolution 11-039 First Amendment](#)
[Resolution 16-097 Second Amendment](#)
[Third Amendment](#)

Passed

Enactment No: Res 24-051

- 24 *Approving three proposals from Raftelis Financial Consultants, Inc., in an amount not to exceed \$74,370.00 to provide utility rate models for preparation of the City's FY 2024-25 Sewer, Stormwater and Solid Waste Budget, pursuant to Section 2-797(4)(b) of the Code of Ordinances.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[KW Sewer Rate Model Update Proposal](#)
[KW Solid Waste Rate Model Update Proposal](#)
[KW Storm Rate Model Update Proposal](#)

Passed

Enactment No: Res 24-052

25

*Ratifying an Emergency Procurement pursuant to Section 2-797(2) of the Code of Ordinances for Deep Injection Well Mechanical Integrity Testing Services from Florida Design Drilling LLC, in the amount of \$225,000.00; Authorizing a budget transfer within the Sewer Fund, in the amount of \$101,000.00, pursuant to Section 2-739(b) of the Code of Ordinances; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Emergency Procurement Memorandum](#)
[Bid Memorandum](#)
[Contract](#)
[*Large File* Bid - A.C. Schultes](#)
[Bid - Florida Design Drilling](#)
[*Large File* Bid - Layne Christensen Company](#)
[Recommendation of Award](#)
[ITB 24-005](#)
[ITB 24-005 Addendum 1](#)
[ITB 24-005 Addendum 2](#)

Passed

Enactment No: Res 24-053

26 *Approving Task Order TO-01-24 for Jacobs Engineering Group, Inc. in an amount not to exceed \$71,088.00 to conduct a Capacity Management Operations and Maintenance Gap Analysis; Authorizing any necessary budget transfers and adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

- Attachments: [Resolution](#)
[Cover Memo](#)
[Jacobs Agreement](#)
[Jacobs Task Order](#)
[Resolution 23-029 *Large File*](#)
[OGC 21-0581-CKW-executed](#)
[EPA Guidance](#)

Passed

Enactment No: Res 24-054

Approval of the Consent Agenda

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow to Approve the Consent Agenda. The motion was carried unanimously.

PROCLAMATIONS

27 Montessori Education Week

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

28 Transit Worker Appreciation Week

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

29 Conch Republic Month

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

30 Women's History Month

Sponsors: City Commission

Attachments: [Proclamation](#)

Received and Filed

31 Mary Turner Women's History Month Honoree

Sponsors: Commissioner Lopez and City Commission

Attachments: [Proclamation](#)

Received and Filed

32 Joan Higgs Women's History Month Honoree

Sponsors: Commissioner Lopez and City Commission

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

33 Keep Key West Beautiful Business Award

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

Received and Filed

34 Employee Service Awards - Bridget Flores, Human Resources

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

Received and Filed

35 Keep Key West Beautiful- Plogging

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

Received and Filed

36 Arbor Day Foundation Names Key West a 2023 Tree City USA

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)
[Arbor Day Foundation Press Release](#)

Received and Filed

37 Botanical Gardens Annual Report- Misha McRae

Sponsors: City Manager Childress

Attachments: [Presentation](#)
[Cover Memo](#)

Received and Filed

38 Frederick Douglass Community Center Status Update

Sponsors: City Manager Childress

Attachments: [Presentation](#)
[Cover Memo](#)
[Project Schedule](#)

Received and Filed

39 Information Technology Department Update- David Monroe,
Director

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

Received and Filed

RESOLUTIONS - Cont'd

40 Urging Recognizing and Thanking the Florida Legislature to ~~defeat~~ for taking no action in the 2024 Session to enact HB 901/SB 1120, which would have prohibited the display of the Conch Republic Flag and the Pride Flag on public property in the City of Key West and Monroe County; Directing the City Clerk to provide the Resolution to certain members of the Florida Legislature.

Sponsors: Commissioner Weekley, Commissioner Hoover, Vice Mayor Kaufman and Mayor Johnston

Attachments: [Resolution - Original](#)
[HB 901 Flags as of 1-25-24](#)
[SB 1120 Flags as of 1-25-24](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed as amended and read by the City Attorney. The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 24-055

41

Approving Change Order 1 to Bender & Associates Architects, P.A. in a total amount not to exceed \$269,336.41 for the Bayview Park Project; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute documents upon advice and consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Res 22-110\(185569\) - Bayview Park Task Order & Proposal](#)

[Bender Change Order 1 Proposal](#)

[General Services Agreement Bender & Assoc. full executed](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Wardlow, that the Resolution be Passed. The motion carried by the following vote:

No: 1 - Commissioner Carey

Yes: 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 24-056

42

Accepting and approving the response to Request for Proposals (RFP) No. 24-003 for Strategic Planning Services; Authorizing the City Manager to negotiate and execute a contract in conformance with the RFP Documents with Public Works LLC, all documents consistent therewith upon advice and consent of the City Attorney; Authorizing budget transfers and adjustments, if necessary.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[CKW RFP 24-003- Strategic Planning Services](#)
[Addendum 1](#)
[Addendum 2](#)
[Addendum 3](#)
[Bid Advertisement](#)
[Ranking Meeting Notice](#)
[Bid Memo RFP 24-003](#)
[Ranking & Score Sheets](#)
[Reference Checks](#)
[Analytica Proposal](#)
[Public Works LLC Proposal](#)
[Wise Business Plans Proposal](#)
[Key West Forward 2021-2024](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Carey, that the Resolution be Passed. The motion carried by the following vote:

No: 1 - Commissioner Wardlow

Yes: 6 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Weekley and Mayor Johnston

Enactment No: Res 24-057

43

Requesting the Florida Department of Transportation (FDOT) to [~~include~~/remove] bicycle-pedestrian and vehicle guard rails and [~~remove~~/protect] palm trees along Roosevelt Blvd from north of Eisenhower Drive to SR5/Overseas Highway from design plans for right-of-way improvements scheduled for North Roosevelt Boulevard.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[90% FDOT Design Drawings](#)
[FDOT Intentions N. Roosevelt Palm Trees](#)
[March 5, 2005 Letter to FDOT in opposition](#)
[Public Comment - Walsh](#)

A motion was made by Commissioner Wardlow, seconded by Vice Mayor Kaufman, that the Resolution be Passed to remove guardrails and protect palm trees along Roosevelt Blvd. The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 24-058

CITY MANAGER'S REPORT

44

February Department Reports

- Attachments:** [Code Compliance February 2024](#)
[Engineering February 2024](#)
[Fire February 2024](#)
[HR February 2024](#)
[IT February 2024](#)
[Parking February 2024](#)
[PIO February 2024](#)
[Planning February 2024](#)
[Property Management February 2024](#)
[Utilities February 2024](#)
[Building February 2024](#)
[Finance February 2024](#)
[Housing February 2024](#)
[KWPD February 2024](#)
[Port February 2024](#)
[Transit February 2024](#)
[Community Services February 2024](#)

CITY ATTORNEY'S REPORT

CITY CLERK'S REPORT

COMMISSION COMMENTS

RECESS - 12:21 P.M.

EVENING SESSION

RECONVENE - CALL TO ORDER - 5:01 P.M.

ROLL CALL

Present 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

INVOCATION - Deacon Peter Batty, Basilica of St. Mary's

PLEDGE OF ALLEGIANCE TO THE FLAG - Rod Delostrinos, Director of Transportation

CITIZEN COMMENTS

APPROVAL OF AGENDA - The agenda was unanimously approved as amended and with moving the discussion item to immediately follow presentations

PRESENTATIONS

45 HARC Commissioner Joel Cognevich

Sponsors: Commissioner Lopez

Received and Filed

46 Special Olympics Inclusion Month

Sponsors: Commissioner Lopez and City Commission

Attachments: [Presentation](#)

[Cover Memo](#)

[Proclamation](#)

Received and Filed

DISCUSSION ITEMS

47 City Marina at Garrison Bight - Resolution 23-241

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)
[Resolution 23-241 - September 14, 2023](#)
[Public Comment - Molina](#)
[Public Comment - Grady](#)
[Public Comment - Murphy](#)
[Public Comment - Perrotta](#)
[Public Comment - Balzano](#)
[Public Comment - Mitch](#)

Discussed

RESOLUTIONS**48** Approving the International City/County Managers Association (ICMA) City Manager Evaluation Form that was developed by the University of Tennessee's Institute for Public Service, to be utilized for City Manager, Albert P. Childress, an ICMA member.

Sponsors: City Manager Childress

Attachments: [Resolution - Revised](#)
[Cover Memo - Revised](#)
[Resolution](#)
[Cover Memo](#)
[Evaluation Form](#)
[ICMA Manager Evaluations Handbook](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Hoover, that the revised Resolution be Passed. The motion carried by the following vote:

No: 2 - Commissioner Carey and Commissioner Wardlow

Yes: 5 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Weekley and Mayor Johnston

Enactment No: Res 24-059

49

Requesting the City Commission approval to allow City Staff to move forward with pursuing a General Obligation Bond via referendum on the November general election ballot

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[City of Key West Survey](#)
[General Obligation Bonds Presentation](#)
[Clearview Survey Presentation](#)
[PFM GO Bond Presentation](#)

A motion was made by Commissioner Hoover, seconded by Vice Mayor Kaufman, that the Resolution be Passed. The motion carried by the following vote:

No: 2 - Commissioner Carey and Commissioner Wardlow

Yes: 5 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Weekley and Mayor Johnston

Enactment No: Res 24-060

7:06 P.M. - Meeting went into Recess

7:17 P.M. - Meeting Reconvened

50

~~Denying~~/Granting the appeal by Barton W. Smith, Esq. on behalf of the property owner, Passero Development LLC, of the Floodplain Administrator's Substantial Improvement Determination rendered on October 26, 2023, for the single-family home located at 2320 Patterson Avenue, Key West, Florida, RE #00050210-000000.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[*Large File* Appeal](#)
[*Large File* Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)
[Request for Postponement](#)
[Memorandum in Support of Appeal](#)
[Executed Bennett Affidavit](#)
[Executed Chilberg Affidavit](#)
[City Staff Presentation](#)
[Appellant Presentation](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Hoover, that the Appeal be Granted based on the competent substantial evidence heard, the facts submitted satisfying deliberation under 90-273, that there is a legitimate public purpose accomplished by reversing, and that it is based solely on the record. Additionally, the applicant will remove the unpermitted bathroom and match the floor plan as was originally submitted. The motion carried by the following vote:

No: 1 - Mayor Johnston

Yes: 6 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

Enactment No: Res 24-061

51

Major Modification to a Major Development Plan - 638 United Street (RE# 00036600-000000) - Granting approval of a major modification to a major development plan for the development of four market rate residential units with a landscape waiver for a non-complying landscape buffer on property located within the Historic Residential / Office (HRO) Zoning District with a proposed affordable work force housing linkage project located at 3228 Flagler Avenue pursuant to Chapter 108, Section 108-91, and Article III through IX; Chapter 122 - Article IV, Division 10, and Chapter 122 - Article V, Division 10 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)
[Final Landscape Plan Approval](#)
[Signed COA and Decision Letter Approved 638 United Street](#)
[PB RES 2023-028 638 United St Major Modification](#)
[Staff Report](#)
[Sec. 108 Landscape Review](#)
[Letter of Opposition - Shumaker](#)
[Trepanier Response to Shumaker](#)
[Letter of Opposition - Boehling](#)
[Trepanier Response to Boehling](#)
[Noticing Package](#)
[Planning Package](#)
[United Street Presentation](#)

A motion was made by Commissioner Hoover, seconded by Commissioner Lopez, that the Major Modification be Approved with conditions as outlined in the Staff Report. Commissioner Kaufman motioned an amendment to strike Condition #5 with direction that the Planning Board will determine the number of affordable units that must be built at the linkage property, 3228 Flagler Ave. The amendment was adopted and the motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 24-062

ORDINANCES – FIRST READING

- 52 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances entitled "Administration" by amending Section 2-64 "Residency Requirement for Mayor and City Commission Office" to conform with Charter Section 3.02, which requires on one-year continuous residency for Mayor and City Commission candidates; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Ramsingh

Attachments: [Ordinance](#)
[Cover Memo](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Hoover, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

- 53 **WITHDRAWN:**

An Ordinance of the City of Key West, Florida, to amend Chapter 114, entitled "Signs", by adding Division 5, entitled "Yard Sales"; Section 114-142 through 114-147, pursuant to Chapter 90, Article VI, Division 2 of the Land Development Regulations of the Code of Ordinances of the City of Key West; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Childress

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB RES 2024-005 Signs Ordinance](#)
[Staff Report](#)

Withdrawn

ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)

54

Text Amendment of the Comprehensive Plan - An Ordinance of the City of Key West, Florida, amending Comprehensive Plan Chapter 1, Future Land Use, Policy 1-1.16.1, entitled, "Maintain A Building Permit Allocation Ordinance", and by amending Chapter 3, Housing, Policy 3-1.1.4, entitled "Building Allocation System", to provide for building permit allocation system units for the property located at 301 White Street (RE# 00001780-000000); Providing for the repeal of inconsistent provisions; Providing for transmittal to the State Land Planning Agency; Providing for the filing with the Secretary of State; Providing for severability; Providing for the inclusion in the City of Key West Comprehensive Plan; Providing for an effective date.

Sponsors: Commissioner Weekley

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB RES 2023-025 301 White St FLUM](#)
[Staff Report](#)
[Noticing Package](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Adopted. The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 24-08

55

Text Amendment of the Land Development Regulations -
An Ordinance of the City of Key West, Florida, amending Chapter 108 of the Land Development Regulations, entitled “Planning and Development”, Article X entitled “Building Permit Allocation System”, Division 2 entitled “Building Permit Allocation System”, Section 108-995 - Reporting requirements and residential allocation schedule; to provide for building permit allocation system units for the property at 301 White Street (RE# 00001780-000000); Providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB RES 2023-026 301 White St LDR](#)
[Staff Report](#)
[Noticing Package](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Adopted. The motion passed by unanimous vote.

Enactment No: Ord 24-09

56

Text Amendment of the Land Development Regulations -

An Ordinance of the City of Key West, Florida, to amend Chapter 122 of the Land Development Regulations entitled "Zoning", Article IV, entitled "Districts", Division 3 entitled "Residential Districts", Subdivision III entitled "Single-Family Residential District (SF)", Section 122-232 entitled "Accessory Units", and Section 122-233 entitled "Special Criteria Applicable to Accessory Units" to amend the required setbacks for deed restricted affordable accessory units; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey

Attachments: [Ordinance - City Staff](#)
[Ordinance - Planning Board](#)
[Cover Memo](#)
[PB RES 2023-030](#)
[Staff Report](#)
[Building Department Cover Memo](#)
[Building Department Draft Ordinance](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Hoover, that the Ordinance be Adopted with the owner occupied condition removed - Sec122-233(a)(4) - and direction given to Planning staff to amend the Comprehensive Plan to be in conformance with all adopted changes herein. The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 24-10

57

Text Amendment of the Land Development Regulations -

An Ordinance of the City of Key West, Florida, to amend Chapter 122 of the Land Development Regulations, entitled "Zoning", Article V entitled "Supplementary District Regulations, Division 3 entitled "Area Requirements", Section 122-1143 entitled, "Impervious Surface Requirements for all Uses" to allow waterbodies to be considered pervious; Pursuant to Chapter 90, Article VI, Division 2 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB RES 2024-006 Impervious Surfaces](#)
[Staff Report](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Hoover, that the Ordinance be Postponed to April 11, 2024. The motion carried by the following vote:

No: 2 - Commissioner Lopez and Commissioner Wardlow

Yes: 5 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Weekley and Mayor Johnston

58

WITHDRAWN:**Text Amendment of the Land Development Regulations -**

An Ordinance of the City of Key West, Florida, amending Land Development Regulations Chapter 122 entitled "Zoning", Article II entitled "Nonconformities"; Section 122-26 entitled "Definitions"; Section 122-27 entitled "Intent"; Section 122-28 entitled "Replacement or reconstruction"; and Section 122-29 entitled "Repairs and Maintenance", to revise the definitions of "Reconstruction," "Replacement," "Repairs" and "Maintenance" with regards to entitlements for nonconforming structures; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey

Withdrawn

ADJOURNMENT - 8:52 P.M.